



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 10, 2020

BY ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Justin Lopez*, 13 Cr. 605 (JMF)

Dear Judge Furman:

The Government writes in response to the Court's September 9, 2020 Order (Dkt. 291) to submit this status report regarding the above-captioned matter, and to respectfully request, on behalf of the parties, a 30-day adjournment of the violation of supervised release proceeding currently scheduled for September 21, 2020.

Since the August 14, 2020 conference in this matter, the Government has obtained records from the United States Probation Department, the New York City Police Department, and the Office of the Bronx District Attorney related to the violations alleged in the United States Probation Department's May 29, 2020 Amended Violation Report (the "Amended Violation Report"), including records related to the state arrests and charges described in Violations 1, 2, 6, 7, 8, and 9 of the Amended Violation Report. The Government has produced these records to the defense, and the parties are discussing a potential resolution of the violations alleged in the Amended Violation Report. With respect to Violations 6, 7, 8, and 9 of the Amended Violation Report, which stem from the defendant's May 22, 2020 state arrest and charges related to the illegal possession of a firearm, the Government understands that the next state court proceeding is scheduled for October 13, 2020. In connection with the state charges, the Office of the Bronx District Attorney has obtained DNA evidence from the seized firearm, and filed a motion to compel DNA evidence from both the defendant and the driver of the vehicle in which the firearm was found. The results of any such testing will further inform how the defendant, the Government, and the Probation Office will proceed on the charges reflected in Violations 6, 7, 8, and 9.

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Accordingly, the Government, the defendant, and the Probation Office respectfully request an adjournment of approximately 30 days to gather additional information and determine how to proceed on the violations specified in the Amended Violation Report.

Respectfully submitted,

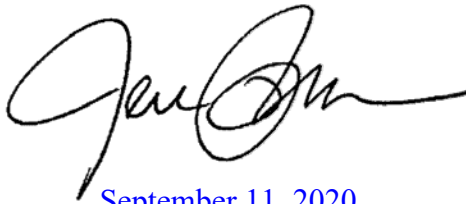
AUDREY STRAUSS

Acting United States Attorney

By: /s/ Negar Tekeei
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cc: Neil Checkman, Esq. (by email)
Godwin Ogunmefun, U.S. Probation Officer (by email)

Application GRANTED. The conference is hereby ADJOURNED to October 26, 2020, at 2:30 p.m. The Clerk of Court is directed to terminate Doc. #292. SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', is written over the date.

September 11, 2020